

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

ORANGE COUNTY, NORTH CAROLINA, )  
Petitioner, )  
v. )  
UNITED STATES NUCLEAR REGULATORY )  
COMMISSION, and the )  
UNITED STATES OF AMERICA, )  
Respondents, )  
and )  
CAROLINA POWER & LIGHT COMPANY, )  
Intervenor-Respondent. )

Nos. 01-1073 and 01-1246  
(Consolidated)

**CAROLINA POWER & LIGHT COMPANY'S  
MOTION TO APPORTION ORAL ARGUMENT**

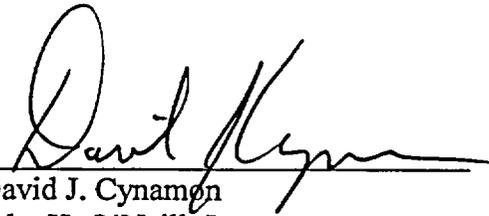
Pursuant to Rule 34 of the Federal Rules of Appellate Procedure and Circuit Rule 34, Carolina Power & Light Company ("CP&L") moves this Court to grant leave for Intervenor-Respondent CP&L and Respondent Nuclear Regulatory Commission ("NRC") to apportion the Respondent's allotted 15 minutes of oral argument. CP&L is authorized to inform the Court that the NRC has agreed to divide the time, eleven (11) minutes allotted to the NRC and four (4) minutes allotted to CP&L.

CP&L respectfully suggests that the proposed division of Respondent's oral argument is for good cause and will provide the Court with an important perspective on the issues at bar. CP&L has a significant interest in the outcome of this matter as the licensee whose license amendment to expand spent fuel storage is challenged. Counsel who represented CP&L through the entire two-year administrative proceeding before the NRC is uniquely positioned to present

relevant information and respond to fact-specific questions from the Court. Moreover, CP&L's participation in the oral argument will not prejudice Appellant in any way.

For all the foregoing reasons, CP&L requests that the Court grant this motion to appor-tion oral argument.

Respectfully submitted,



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Dated: August 21, 2002

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CERTIFICATE OF SERVICE

I hereby certify that true copies of the foregoing Carolina Power & Light Company's Motion to Apportion Oral Argument were served upon the following by United States mail, first class, postage prepaid, on this 21<sup>st</sup> day of August, 2002:

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